The Cochin Agriculturists Relief Act (Amendment) Bill

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I seek leave of this Hon'ble House to introduce the Cochin Agriculturists Relief Act (Amendment) Bill.

Mr. C. V. Iyyu *(Kunnamkulam):* I second it.

Motion put and carried

Amendment to Standing Orders

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)* May I make one request that the Hon'ble Chair may be pleased to allow me to make this motion (to amend the Standing Orders) after lunch time.

Mr. President : Why ?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* If that is possible, I may be allowed to do so. I just want to peruse some papers before making the motion. If I am kindly granted permission to make the motion in the afternoon session, if the House is inclined to allow me, I will be grateful.

Mr. President : I have no objection if the House is willing to take up this motion in the afternoon out of its proper order.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am advised by my hon'ble friend that I may move it now.

Mr. President: I should think the Hon'ble Member is treating the House with very little courtesy; first of all to come unprepared for the business that is put down for the day and secondly to get up one minute and ask for one thing and at the next moment to withdraw it, and say something else. The Hon'ble Member will continue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am sorry, Sir, and I apologise both to the House and to the Chair. I move that Standing Order No. 12 be amended as follows.— The ammendment read thus.—

Add between Standing Order 12 and Standing Order 13, the following as 12 A.

"A Member desiring to give preference to a question or questions to be sent up by him shall be entitled to make an asterisk mark against such question or questions and such starred questions shall be answered during the particular session for which they are sent, provided the number of such starred questions sent by a Member for a particular session shall not exceed the number of days in that Session."

Sir, much explanation is not necessary for this. The practice obtaining in this Hon'ble House is that an Hon'ble Member has got the right to send up as many questions as he can or as he wishes, and the Government has equally the right to answer or not to answer as many questions as they please or as they find convenient to answer. The amendment to the Standing Order which I seek to introduce has a better scope for achieving certain objects. In the many questions, in the case of few Members, that are sent up there may be questions of an outstanding nature and the amendment seeks that if such important questions according to the lights of the Hon'ble Member sending up those questions are starred, the Government be pleased to answer them from the many questions that are sent up by that particular Member and for putting that star mark a limit is to be imposed by the amendment; if for example, this particular sitting consisting of originally only five days and at the time of sending up the questions, the Member, if this amendment is happily passed, gets the right to put the asterisk mark against 5 questions and the Government have to answer them. He might have sent 40 or 50 questions, but as many questions as there are days in the particular sitting for which the question is sent will have to be answered by the Government. That is the amendment that is sought to be introduced. It is seen that such a procedure will be very useful. This is a procedure which obtains in the Central Assembly, but I may also tell this Hon'ble House that this procedure is not obtaining in the Provincial Legislatures. If any Hon'ble Member, or the Governmenti for that matter,—says—I am not courting trouble—if it is stated that this is a procedure obtaining only in the Central Assembly and not any where in the Provincial Legislatures and so why should this House go in for something singular, obtainable in the Central Assembly only, I shall only answer the ambition of this House is that we may attempt to approach the highest; the ultimate ambition is to rise to the level of the Mother of Parliaments, but let us be provincial first, let us rise to the level of the highest Legislature in India; what is obtainable there, let us have it here also.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram):* I second it.

Mr. President : This does not require seconding.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* I second it (Laughter).

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Mr. President : The amendment to the Standing Order, which the Hon'ble Member wishes to introduce is as follows.—

Between Standing Order 12 and Standing Order 13, the following may be added as 12 A.—

"A Member desiring to give preference to a question or questions to be sent up by him shall be entitled to make an asterisk mark against such question or questions and such starred questions shall be answered during the particular session for which they are sent, provided the number of such starred questions sent by a Member for a particular session shall not exceed the number of days in that Session."

I now have to enquire whether the Hon'ble Member has the leave of the House to introduce this amendment.

Mr. B. V. K. Menon *(Secretary to Government):* Sir, I object to it. May I also state the reasons for the objection ?

Mr. President : Yes.

Mr. B. V. K. Menon *(Secretary to Government):* Sir, The Hon'ble Mover of the amendment stated as one of the reasons for this amendment that this procedure is in vogue in the Central Legislative Assembly. I concede that it is so. But I may also state that in the Standing Orders of the Central Legislative Assembly, which are closely followed here, such an amendment has not been made. As a matter of fact, the procedure there, as well as here, is, with regard to the answering of questions, to do so in accordance with the directions of the President. The so called system of starred questions adopted there is in accordance with the instructions issued by the President of the Assembly. But there is one cardinal difference between there and here. There it is only the starred questions that are answered on the floor of the House. Unstarred questions are only answered and placed on the table. Here we are answering on the floor of the House all questions, starred as well as unstarred. It will therefore be seen that a restriction is put there and thereby the opportunity for the Members to put supplementary questions for unstarred questions is lost. The main difficulty if we accept this amendment is that if the amendment as framed now is brought into our Standing Orders, it may lead to constant friction between the Government and the Non-officials. Many Members might send starred questions and it may be practically impossible to answer all the starred questions. Then there will be the complaint raised that we are not following the Standing Orders, that we are purposely not answering questions and all complaints of that sort. Even now, as far as possible, we are answering all questions, and apart from that, it has been the practice here that some Members, even when they send questions, make a specific request to the President saying that such questions may be answered first or on a particular day and we are as far as possible allowing that. Like that, they say this question should be answered first; some other questions should be answered together and these are all details of practical working which can be easily guided by the President, and no amendment is necessary for that. Such an amendment does not exist in the Central Assembly or Provincial Assembly Standing Orders. I only submit that it is not necessary for the purpose mentioned by the amendment to adopt this amendment in our Standing Orders.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Have I the right to say anything in reply, Sir ?

Mr. President: I do not think it necessary, unless you think that the observations are convincing, and you propose to withdraw.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am not going to react in that fashion. Not that I am anxious to reply.

Mr. President : I now ask the Hon'ble Members in favour of the amendment to the Standing Order as proposed by the Hon'ble Member being introduced, to stand in their seats.

As more than 15 members have stood up in their places, leave is granted for the introduction of this amendment.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I pray that I may be allowed to move to introduce this amendment.

Mr. President : The position now is the same as that of a Bill that has been introduced. You being in charge of the Bill, do you wish to make any motion.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I wish that this amendment be referred to a Select Committee consisting of the Hon'ble Deputy President, the Advocate-General and the Secretary to the Council.

Mr. President : The Secretary to the Council is not a Member of the Council.

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Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I wish to have the name of Mr. Bhaskara Menon, the Hon'ble Member for Cranganur instead.

Mr. C. J. Mathew *(Joint Secretary to Government):* Sir, I move that the Secretary to Government may also be a member of the Select Committee.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I have no objection.

Mr. Joseph Pettah *(Adur):* Sir, I propose that Mr. T. P. Poulose may also be included in the Select Committee.

Mr. Prsident: The question before the House is this amendment of the Standing Orders be referred to a Select Committee composed of the Deputy President, the Advocate-General, Mr. V. K. Bhaskara Menon, Mr. Kumaran Ezhuthassan, the Secretary to Government and Mr. Poulose.

Motion carried

RESOLUTIONS

6. Public Services Commission in the place of Staff Selection Board— *(cont.)*

Mr. C. V. Iyyu *(Kunnamkulam):* Sir, I have already told this House the futility of having competitive examinations for recruitment to the public services by the Stafl Selection Board, at this stage, because of the large number of educated youths who may have to be thrown out of service after the present war. I am one who desires and expresses my wish that everyone who has joined the Military Department to serve the cause of the United Nations in this great crisis be given preference over all the other candidates who apply for being recruited to the Cochin Government services and that without any competitive examination. In continuing the discussion, I wish also to bring to the notice of the House that in such a famous service like the I.C.S., there are nominated I.C.S. men. Nominations are given to certain communities even from the west coast by the Government of India. Eminent civilians in the services such as Messers. Vellodi, Koman and Vijayaraghavan are members nominated from minorities or backward communities in British Malabar.

Mr. V. K. Bhaskara Menon *(Cranganur):* The nominations are only from qualified people and not from unqualified men.

Mr. C. V. Iyyu *(Kunnamkulam):* Direct nominations without sitting for any examination were adopted in the case of these gentlemen is reliably understood by me. Only graduates are recruited. But these graduates have not sat for any competitive examinativn anywhere. His Majesty's Government has even reserved seats for Europeans who have qualified from English Universities if sufficient number of candidates are not forthcoming by open competition to fill up the places necessary for the European element in the Civil Service; European graduates has to be chosen for nomination from among the Europeans who have been qualified themsleves from certain Universities prescribed by the rules framed under the Government of India Act.

I am not a scholar like the Hon'ble mover to quote Asquith or Shakespeare. Some such authors were quoted here but those speeches or writings seem to have not been written or were not spoken on occasions connected with the discussion on the subjet of the recruitment to public services I am going to quote the speech which has been delivered last week by one who has been for some time the President of the Public Services Commission at Madras. He has had great experience both as politician, as a college professor, as Scholar, as vice Chancellor and Member and President of the Public Services Commission as well as a politician of South India—I mean Chevalier Ratnaswami. A portion of his speech is as folls.—

"It is true that whenever a demand is made for more or better representation of certain communities in the Public Services in India, the cry of 'loaves and fishes' is shouted from the ramparts of the fortifications in which certain communities that, thanks to their superior worldly wisdom, have entrenched themselves in the administration. But 'loaves and fishes' are not to be despised; they are food and these times have taught us food is not to be taken for granted or as a matter of course. These 'loaves and fishes' in the public services are posts of power and influence in the State. Representation o communities in public services is as necessary to the strength of a State as representation on the representative legislative Assemblies. Representative Government would be a misnomer and a cruel farce if communities were represented in the legislature and not in the other powerful branch of Government—passed by the legislature Especially in a country like India, where the State's activities are frequent and manifold, it is necessary that we should have representative executives as well as representative legislatures. In countries like England where the communities are more equal to each other than here, the methd of competitive recruitment secures adequate representation of

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